

YU-XI LIU, ESQ.

602 39TH STREET, #102

BROOKLYN, NY 11232

347.721.1383

yuxiliuny@yahoo.com

VIA ECF

July 25, 2021

The Honorable John G. Koeltl
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007
212.805.0107

Re: *Chinese Americans Civil Rights Coalition, Inc. v. Donald Trump*, 21-cv-04548 (JGK)

Dear Judge Koeltl:

The undersigned represents *pro bono* the plaintiff in the above-referenced action in which Your Honor is presiding. The plaintiff respectfully requests that substitute service by publication on defendant be ordered and that the time for service be extended up to September 27, 2021.

After issuance of the Summons on 5/24/2021, the undersigned retained Same Day Process Service (“SDPS”), a professional process server based in Washing D.C., to effect service on defendant Trump in this action.

SDPS’s local process server in Palm Beach, Florida, has made three attempts on service, but all three were thwarted by Secret Service agents on duty. Please see below the SDPS’s detail service log.

Date and Time	Jobnum	Address	Event Type	Photo	Detail
07/19/2021 at 12:43 PM	266851	The Mar-A-Lago Club, 1100 South Ocean Blvd. Palm Beach FL 33480	Attempt		Upon my arrival, I spoke to a SS agent who refused to allow access. He also refused to provide his name and badge number. He stated that the subject was not in and had no staff present. I requested to speak to his superior. He went to his vehicle and came back a moment later, providing the phone number for the local field office of 561-659-0184.
07/14/2021 at 12:48 PM	266851	The Mar-A-Lago Club, 1100 South Ocean Blvd. Palm Beach FL 33480	Attempt		Upon my arrival, I spoke to a Secret Service Agent about serving the legal documents. He refused to give his name but gave a badge number of 4427. He stated that the subject was not present, nor was any staff. I pressed as much as I could for information but the Agent denied access to the entity and refused to cooperate in any way.

07/02/2021 at 12:57 PM	266851	The Mar-A-Lago Club, 1100 South Ocean Blvd. Palm Beach FL 33480	Attempt		I was informed by Secret Service Agent Desimone #AO4719 that there is no one available at this time to arrange service. He took my contact information to pass along the proper channels. No further information provided.
07/02/2021 at 12:35 PM	266851	The Mar-A-Lago Club, 1100 South Ocean Blvd. Palm Beach FL 33480	Attempt		Upon my arrival, I was denied access to the property by an unnamed Secret Service agent while it is determined if someone authorized to accept documents is available to accept

In addition to process server, I have also reached out to the attorneys, who according to public records currently represent Mr. Donald Trump in other active cases, such as the case of two Capitol police officers who suffered injuries on January 6, 2021 and the Summer Zervos defamation case in New York, and asked counsel if they would accept service on behalf of their client. None has replied.

Furthermore, once it was filed on May 20, 2021, this lawsuit has been widely reported by the mainstream news media in both U.S. and overseas, such as:

- <https://www.tmg.com/2021/05/20/donald-trump-sued-china-virus-kung-flu-wuhan-chinese-american-civil-rights-coalition/>
- <https://thehill.com/regulation/court-battles/554708-trump-sued-by-civil-rights-group-for-calling-covid-19-china-virus>
- https://www.huffpost.com/entry/donald-trump-federal-lawsuit-asian-american-slurs-attacks_n_60a84e7de4b0313547971856
- <https://www.axios.com/civil-rights-lawsuit-trump-china-virus-covid-ba2ba751-d614-44e6-9f7c-4dce29b7f1aa.html>

In fact, Mr. Jason Miller, senior adviser for Trump, told The Hill in a statement, "This is an insane and idiotic lawsuit that is specious at best, and it will be dismissed if it ever sees a courtroom." Hence, it can be reasonably concluded that at the minimum the Defendant's inner circle has been aware of this lawsuit. We note further that since the reporting of the lawsuit the defendant has not repeated the same defamatory comments as documented in the Plaintiff's complaint.

Given the circumstances where plaintiff has tried with due diligence to effect service of process on defendant Trump, to no avail, we respectfully ask that Your Honor order

1. substitute service by local publication in Palm Beach, Florida, where Mr. Trump has ostensibly proclaimed himself to be a resident, and the time of service be extended up to September 27, 2021;
2. once substitute service by publication in Palm Beach is effected, the defendant must serve his answer on the plaintiff or otherwise respond pursuant to Rule 12 of the Federal Rules of Civil Procedure.

With thanks for Your Honor's due consideration in this matter, I remain,

Sincerely yours,

/s/ Yuxi Liu

Yu-Xi (Glen) Liu, Esq. (yl3022)
Attorney for Plaintiff
Pro Bono